

Instructions for Completing Sample Study Request Letter of Intent Continuing Authorities Program

This template Letter of Intent should be used by all Non-Federal Sponsors/Tribal Sponsors to express interest in participating in a water resources project under the Continuing Authorities Program.

The Sponsor will submit the letter on official letterhead and respond to all questions and fields shown in red font as described below. Text in black font should not be changed or deleted.

USACE DISTRICT COMMANDER NAME AND ADDRESS – Name and address of the appropriate USACE District can be found at:
<https://usace.maps.arcgis.com/apps/webappviewer/index.html?id=7344e62432694199af7790aa47a32fdd>.
If the name of the District Commander cannot be determined, use the term “District Commander” as the addressee.

SPONSOR NAME – Name of the eligible government entity or non-profit submitting the Letter of Intent (LOI).

WATER RESOURCES PROBLEM – List the specific water resources problem for which you are requesting assistance. This could include Riverine Flooding, Coastal Flooding, Degraded Ecosystems, Riverine Bank Erosion, Coastal Erosion, Navigation, and Other. More than one problem can be included.

GENERAL AREA DESCRIPTION – Include city/town/parish/village, state, river or waterway, and names of nearest roadways. A map of the project location should also be included, if available.

GENERAL PROBLEM DESCRIPTION –

- All LOIs should respond to Questions 1-2
- LOIs that identified riverine or coastal flooding as the water resources problem respond to Question 3.
- LOIs that identified riverine bank or coastal erosion as the water resources problem respond to Question 4.
- LOIs that identified degraded ecosystems as the water resources problem respond to Question 5.
- LOIs that identified navigation as the water resources problem respond to Question 6.

ELIGIBLE ENTITY – List your organizational type that documents eligibility for serving as the Sponsor. Acceptable responses include: State/County/City/Local Government entity, Tribal entity, Non-Profit with written support from the Government or Tribal Entity.

SPONSOR POINT OF CONTACT – List the name, email, and phone number for the person who will serve as the Sponsor’s primary point of contact.

SIGNATURE BLOCK – Typed name of the person with authority to request assistance on behalf of the Sponsor. This space should also include the signature of the identified person.

TITLE – Official title of the person listed in the Signature Block.

DATE – Date when LOI was signed by the person identified in the Signature Block.

Sample Study Request Letter of Intent Continuing Authorities Program

SPONSOR LETTERHEAD

[DISTRICT COMMANDER NAME]

District Commander

U.S. Army Engineer Corps of Engineers [SITE LOCATION CORPS DISTRICT] District

[CORPS DISTRICT STREET ADDRESS]

[CORPS DISTRICT CITY, STATE, ZIP]

Dear [DISTRICT COMMANDER]:

The [SPONSOR NAME] is requesting assistance from the U.S. Army Corps of Engineers for a cost-shared study under the Continuing Authorities Program (CAP) to address the [WATER RESOURCES PROBLEM] located in [GENERAL AREA DESCRIPTION].

[GENERAL PROBLEM DESCRIPTION]

1. Based on the water resources problem identified above, why is assistance needed? What is the Sponsor's overall goal in pursuing a water resources project with USACE?
2. Are there any known constraints (such as railroads; hazardous, toxic or radioactive waste; threatened and endangered species; cultural resources; real estate acquisition concerns) or other known issues in the project area that provide limitations for what can be done to address the water resources problem?
3. For projects with flooding concerns:
 - Describe the flooding history including when did the last flood or floods occur and damage that was incurred.
 - Describe the census data population in the flooded areas.
 - Provide how many and what kind of properties have been flooded during these events (i.e., school, fire station, residential homes, restaurants, hospitals, etc.).
 - Is water supply, water conservation, or measures to mitigate the impacts of extreme weather requested as part of a study (see Sec 8106(a) of WRDA 2022)?
 - Provide any photos of the flood event.
4. For projects with erosion concerns:
 - Describe what and how many structures are threatened by the erosion (i.e., school, roads, residential homes, treatment plants, water-sewer-electrical lines, etc.). Include statement as to whether each structure is privately or publicly owned, if known.
 - Describe rate of erosion – approximately how much of the bank is lost to erosion each year.
 - Describe the consequences if the erosion continues including what is affected by the erosion
 - road access – estimate number of vehicles per day
 - emergency vehicle access
 - ability to provide drinking water to local population – estimate population values
 - Describe the cause of the erosion, if known.
 - Provide any photos of the eroded bank.
5. For projects with degraded ecosystem concerns:
 - Describe the degraded habitat targeted for restoration. Describe the causes of degraded habitat for restoration, if known.

- List any known regionally or nationally significant habitat, species or natural resources in the project area.
 - What would a successful restoration outcome look like?
 - Provide any photos of the degraded habitat in the project area.
6. For projects with navigation concerns:
- Describe any existing facilities and vessel traffic associated with the navigation project.
 - Describe delays in transport of goods and materials if the navigation project is not pursued.

The [SPONSOR NAME] intends to serve as the sponsor for the project and is a [ELIGIBLE ENTITY]. We are aware that the cost-sharing requirements will be consistent with the CAP Section determined to be the most appropriate in accordance with the table below.

The [SPONSOR NAME] understands and agrees to:

- Provide 100 percent of the costs for long-term operation and maintenance of the constructed project (some exceptions apply).
- Provide all required lands, easements, rights-of-way, relocations, and disposal areas (LERRDs) required for the project. (appropriate costs are reimbursable)
- Perform and pay for all costs associated with any required hazardous, toxic, and radioactive wastes (HTRW) or other contamination cleanup and response in, on, or under any real property interest required for the project.
- Hold and save the United States free from all damages arising from the project that are not due to the fault or negligence of the United States or its contractors.

We are aware that this letter serves as an expression of non-Federal intent to cooperate on this project and is not a contract obligation. We are committed to this project and are willing, able and would be financially prepared to participate in the feasibility study. We look forward to executing a cost-sharing agreement for the study at the appropriate time in the process. Thank you for your assistance with this much needed project. Please contact [SPONSOR'S POINT OF CONTACT] for further information or assistance.

[SIGNATURE BLOCK]

[SPONSOR]

[TITLE] (Director, City Manager, Mayor, etc.)

DATE

Summary of Continuing Authorities

Purpose	Authority	Feasibility Cost Share (Federal/Non-Federal)	Design and Implementation Cost Share (Federal/Non-Federal)
Emergency Stream Bank and Shoreline Protection	Section 14, 1946 Flood Control Act, as amended	100% / 0% for initial \$100,000; 50% / 50% remaining cost	65% / 35% ¹
Hurricane and Storm Damage Reduction (Beach Erosion)	Section 103, 1962 River and Harbor Act, as amended	100% / 0% for initial \$100,000; 50% / 50% remaining cost	65% / 35%
Navigation Improvements	Section 107, 1960 River and Harbor Act, as amended	100% / 0% for initial \$100,000; 50% / 50% remaining cost	Varies, based on depth
Mitigation to Shore Damage Attributable to Navigation Works	Section 111, 1968 River and Harbor Act, as amended	100% / 0% for initial \$100,000; same proportion as project causing damage	Shared in same proportion as project causing damage
Beneficial Use of Dredge Material/Regional Sediment Management	Section 204, 1992 Water Resources Development Act, as amended	100% / 0%	65% / 35% ^{1,2}
Flood Damage Reduction	Section 205, 1948 Flood Control Act, as amended	100% / 0% for initial \$100,000; 50% / 50% remaining cost	65% / 35% ^{1,2}
Aquatic Ecosystem Restoration	Section 206, 1996 Water Resources Development Act, as amended	100% / 0% for initial \$100,000; 50% / 50% remaining cost	65% / 35%
Snagging and Clearing for Flood Damage Reduction	Section 208, 1954 Flood Control Act, as amended	100% / 0% for initial \$100,000; 50% / 50% remaining cost	65% / 35% ¹
Project Modifications for Improvements to the Environment	Section 1135, 1986 Water Resources Development Act, as amended	100% / 0% for initial \$100,000; 50% / 50% remaining cost	75% / 25%

¹ For structural flood damage reduction purpose, Non-Fed share is 35% up to 50% (based on cost of LERRDs), plus 5% must be in cash.

² For non-structural flood damage reduction purpose, Non-Fed share limited to 35%, with no 5% cash requirement.